

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
CIRA CALABRESE, et al.,

Plaintiffs,

- against -

CSC HOLDINGS, INC., et al.,

Defendants.
-----X

**MEMORANDUM
AND ORDER**
CV 02-5171 (DLI) (JO)

JAMES ORENSTEIN, Magistrate Judge:

At a conference on March 7, 2006, I made the following rulings regarding discovery:

1. By March 10, 2006, the plaintiffs will complete the production of all documents responsive to the outstanding discovery requests, save for those that were *both* (a) provided to plaintiffs' counsel by persons other than the named plaintiffs *and* have previously been withheld on grounds of relevance and privilege (the "withheld documents").
2. By March 21, 2006, the plaintiffs will produce a log of all the Withheld Documents as defined above. With respect to all documents attributable to any given individual, the log may substitute a pseudonym (such as "Individual A") for that individual's true name, but in all other respects the log must conform to the requirements of Local Civil Rule 26.2.
3. By March 17, 2006, the plaintiffs will produce supplemental interrogatory responses for each of the six named plaintiffs. Although the supplements may provide additional information as to any interrogatory, each must at a minimum provide supplemental information about the specific misrepresentations at issue in this litigation and must "identify" witnesses in conformity with the requirements of Local Civil Rule 26.3(c)(3).
4. For reasons discussed on the record, I grant the defendants' motion to reconsider my order of December 27, 2005, Docket Entry ("DE") 269. That order was inconsistent with prior rulings in this case by the Honorable Joanna Seybert, United States District Judge, *see* DE 78 at 7; DE 148 at 10-14, and therefore exceeded my authority. To the extent the plaintiffs seek additional relief in this regard, it is available only from the assigned district judge, if at all.

5. Consistent with Judge Seybert's prior rulings, the defendants may serve limited interrogatories on individuals who have been identified as potential members of the putative plaintiff class, but who are not yet parties to this litigation.
6. In granting reconsideration and permitting the interrogatories, I do not decide what relief, if any, may be available to the defendants in seeking to compel responses.
7. To the extent that the law firm representing the named plaintiffs in this lawsuit has previously represented to the court that it also represents any non-party individuals on whom the defendants may now serve interrogatories, the defendants may serve such interrogatories on the plaintiffs' counsel.

SO ORDERED.

Dated: Brooklyn, New York
March 7, 2006

/s/ James Orenstein
JAMES ORENSTEIN
U.S. Magistrate Judge